REMARKS/ARGUMENTS

The office action dated April 10, 2003, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-51 remain in this application.

Objection to Declaration

The Office Action objects to the oath or declaration because Applicant has not provided a post office address for the inventor "anywhere in the application papers" as required by 37 C.F.R. § 1.33(a). However, Applicant has provided a mailing address for the inventor in the "Residence" field of the original Declaration, as well as in the Application Data Sheet filed with the original application. 37 C.F.R. § 1.33(a) expressly states "a correspondence address must be set forth in the either an application data sheet ... or elsewhere..." Thus, Applicant requests this objection be withdrawn.

Objection to Specification

The Office Action objects to the specification as relying on information pertaining to two European Standards and an IETF RFC. As invited by the Examiner, Applicant submits in the attached Information Disclosure Statement a copy of each reference relied upon.

Rejections Under 35 U.S.C. § 103

Claims 1-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mansfield *et al.* (U.S. Pat. No. 6,477,382). Applicant respectfully submits that Mansfield, either alone or in combination with the other prior art of record, fails to establish prima facie obviousness of claims 1-51 in view of the amendments and remarks set forth in this document.

Claim 1 is directed to a time-slicing digital broadcasting transmitter system comprising: a buffer that receives content from an information service provider; an encapsulator that receives the buffered content from the buffer and that forms at least one packet header that contains time-slice information that includes a time-slice parameter specifying a relationship between a current

packet of a current burst of packets and a subsequent burst of packets; and a digital broadcast transmitter that transmits bursts of packets that include the buffered content and the time-slice information.

Mansfield discloses a flexible paging protocol in which a base station transmits a paging packet message over a paging broadcast channel, which is separate from the logical channel over which system data or content, such as cellular phone calls, is broadcast. (See Abstract; col. 1, line 66, through col. 2, line 12 "Initial communication between a user station and a base station can be established ... when the base station attempts to complete a call to the user station (for example, where the user station is paged). In many conventional mobile communication systems, a dedicated control channel is used to assist mobile stations in establishing communication. According to this technique, the mobile station first communicates over the control channel when establishing communication. The base station then assigns to the mobile station a "permanent" communication channel for exchanging bearer traffic messages for the duration of the call"; and col. 2, lines 42-47 "If the handset receives a paging message ..., it ... responds to the paging message according to the system protocol in an attempt to receive the incoming call.").

The paging packet message contains a set of paging messages and a "next page pointer," which specifies, as a number of frames of transmitted packets, when the next set of paging packet messages will be transmitted. (See Abstract, and col. 12, line 9, through col. 14, line 30 "In the example shown in FIG. 9, a paging channel is defined on a fixed time slot 903, such as the fourth time slot 905 of downlink time frame 901. During the fourth time slot 905, the base station 804 transmits a paging packet message (such as paging packet message 601) to mobile end systems 805 within listening distance. ... The example of FIG. 9 also illustrates how the next page pointer (NPP) 603 of the paging packet message 601 is preferably employed. The next page pointer 603 points to (i.e., identifies) the next time frame 911 in which a paging message will be sent by the base station 804. Time frame 911 is thus n time frames after the first time frame 901, where n is the encoded value represented by the next page pointer 603.").

Accordingly, Mansfield fails to teach or suggest transmission of packets that include buffered content from a service provider and a time-slice parameter specifying a relationship

between a current packet of a current burst of packets and a subsequent burst of packets. Mansfield's disclosure is directed to specifying, in terms of a number of transmission-packet intervals, when a next paging message will be sent. As indicated in the text quoted above from Mansfield, paging messages of this type are communicated, not with, but before data, such as a cellular telephone call, is transmitted. And the data is transmitted over a logical channel that is separate from the logical channel on which the paging messages are sent. Mansfield, therefore does not teach or suggest transmitting burst of packets that include content from a service provider, such as digital video broadcasts, and a time-slice parameter specifying a relationship between a current packet of a current burst of packets and a subsequent burst of packets, as recited in claim 1.

Further, Mansfield does not teach or suggest transmitting time-slice information that specifies, in a way that is independent of a number of data packet-transmission intervals, an amount of time that elapses between transmission of a current packet and transmission of a first-transmitted packet of a subsequent burst of packets, as recited in claim 2. Instead, as discussed above, Mansfield's disclosure is directed to specifying, in terms of a number of transmission-packet intervals, when a next paging message will be sent.

Mansfield also does not teach or suggest placing the time-slice information into lower layer protocol packet header bits, as recited in claim 9. Instead, the next page pointer disclosed by Mansfield, is in a payload field of the paging message protocol. (See, col. 11, lines 53-58 "FIG. 6 is a diagram showing details of a paging packet message format in accordance with a preferred embodiment. As shown in FIG. 6, a paging packet message 601 comprises a plurality of individual paging message portions 602a, . . . , 602n and a next page pointer (NPP) 603.").

For at least the foregoing reasons, applicant respectfully submits that Mansfield, either alone or in combination fails to establish prima facie obviousness of claims 1, 2, and 9. Claims 14, 24, 30, and 38; 20 and 39; and 21, 27, 35, and 40 contain analogous limitations and are, therefore, also allowable for at least reasons similar to those discussed above in connection with claims 1, 2, and 9. The remaining claims are proper dependent claims and, therefore, are also allowable for at least similar reasons.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that this application is in condition for allowance, and respectfully requests reconsideration of the application and prompt issuance of a Notice of Allowance.

Respectfully submitted,

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Dated: July 7, 2003   By: _____ 43,805

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